

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

WILLIAM OMAR MEDINA : CIVIL ACTION
v. :
ALFRED HALLMAN : NO. 20-2426
: :
: :

ORDER

AND NOW, this 31st day of December 2020, upon considering Defendant Hallman's Motion to dismiss and Motion to strike (ECF Doc. No. 38) the *pro se* Plaintiff's amended Complaint (ECF Doc. No. 37), upon finding the amended Complaint does not state a claim or cause of action but seemingly pleads additional facts possibly relevant to his existing claims, and consistent with our screening obligations under 28 U.S.C. § 1915(e)(2)(B) while mindful of our obligation to liberally construe *pro se* allegations, it is **ORDERED** Defendant Hallman's Motion (ECF Doc. No. 38) is **GRANTED in part** and **DENIED in part**:

1. We **strike** the proposed second amended Complaint (ECF Doc. No. 37) as not sufficiently pleading new claims but not precluding evidence relating to the allegations should they be admissible at trial; and,
2. We **deny** Defendant's request for dismissal and the parties shall proceed under the amended Complaint and Answer (ECF Doc. Nos. 11, 27) consistent with our November 3, 2020 Order (ECF Doc. No. 33).



KEARNEY, J.